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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/327,713	06/08/1999	KIMIHIKO NISHIOKA	PM260332	5810

7590 02/27/2002

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EXAMINER

PARKER, KENNETH

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 02/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 2871

The reply filed on 11/29/01 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): **applicant has not identified the claims that correspond to elected species 1 from group 2.** See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Note regarding applicant's proposed alternative breakdown:

In applicant's proposed alternative breakdown, the second group from which applicant has elected are not actually species, as the elected group is actually generic to the other groups. It appears that what applicant has actually done is to make a combination subcombination type break down, where applicant has considered the combination of the reflector with the variable optical element as the combination, and details of the subcombinations (the optical element details) as listed in claims 1-26 and 36 as the subcombinations. Applicant's clarifying this would be necessary for the examiner to follow applicants proposed breakdown as a basis for restriction.

As this application discloses and claims so many different inventions at the multiple levels (the device level, intermediate system levels with 2 or so optical components, and larger system level) that restriction is difficult, and examination of the enormous number of inventions would not be possible and applicants cooperation in assisting to create a reasonable breakdown is appreciated. It is the intent of the examiner to follow applicant's proposed breakdown, however

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the basis of the breakdown must be clear, and applicant should bear in mind that future restrictions may be necessary should the distinct claimed inventions be too numerous to be reasonably searched.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Parker whose telephone number is (703) 305-6202. The fax phone number for this Group is (703) 308-7726. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

February 25, 2002



**KENNETH ALLEN PARKER  
PATENT EXAMINER  
GAU 2871**